

PUBLIC CHAPTER NO. 246

HOUSE BILL NO. 840

By Representatives Favors, McCormick, Moore

Substituted for: Senate Bill No. 302

By Senator Crutchfield

AN ACT to amend Tennessee Code Annotated, Title 13, relative to the movement of certain single family residences.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 3, is amended by adding Sections 2 through 4 of this act as a new, appropriately designated part.

SECTION 2. As used in this part "developed area of single family residences" means an area generally referred to as a subdivision as indicated on a plat filed in the register of deeds office.

SECTION 3. (a) No single family residence shall be moved from an existing foundation to another foundation located within a developed area of single family residences unless:

(1) The residence to be moved is consistent with the age, value, size and appearance of existing residences within the developed area of single family residences to which the single family residence is to be moved; and

(2) Approval for the movement of the single family residence to a foundation within a developed area of single family residences has been given by:

(A) The home owners' association of the development where the residence is to be moved, if a home owners' association is in existence;

(B) A neighborhood association where the residence is to be moved which has been in existence for more than one (1) year prior to the date the residence is to be moved, if a neighborhood association is in existence in such area;

(C) The regional planning commission, if a regional planning commission is in existence in the area where the residence is to be moved, and subdivision (A) or (B) does not apply;

(D) The municipal planning commission, if a municipal planning commission is in existence in the municipality where the residence is to be moved and subdivision (A), (B) or (C) does not apply; or

(E) The municipal or county legislative body in the jurisdiction where the residence is to be moved, and subdivision (A), (B), (C) or (D) does not apply.

(b) As used in this section, the term "single family residence" does not include manufactured or modular homes as these terms are defined in Title 68, Chapter 1, Parts 1 through 4, § 47-9-102 or § 55-1-105.

SECTION 4. The residence is consistent with:

(1) The age of existing residences within the developed area of single family residences, if the residence to be moved is within ten (10) years of the average age of the existing structures within such developed area;

(2) The value of existing residences within the developed area of single family residences, if the valuation of the residence being moved will initially appraise at least at the average appraisal of the existing structures within such developed area after all planned improvements have been completed to the residence once the residence is moved;

(3) The size of existing residences within the developed area of single family residences, if the size of the residence being moved is within one hundred (100) square feet of the average size of the existing structures within such developed area; and

(4) The appearance of existing residences within the developed area of single family residences as determined by the body giving its approval for the single family residence to be moved to such developed area.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 10, 2007



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 24th day of May 2007



PHIL BREDESEN, GOVERNOR